



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/869,856	06/16/97	BERCKMANS	VER-102XX

MM31/0506
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EXAMINER

PATEL, H

ART UNIT PAPER NUMBER

2855

DATE MAILED: 05/06/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/809,856

Applicant(s)

Berckmans et al.

Examiner

Harshad Patel

Group Art Unit

2855



☒ Responsive to communication(s) filed on Apr 3, 1997

☐ This action is **FINAL**.

☒ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire two month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-23 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☐ Claim(s) _____ is/are rejected.

☒ Claim(s) 1-23 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 8

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.
3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
5. The disclosure is objected to because of the following informalities: At pages 2-4, the disclosure uses the phrases regarding to the claims. It is advisable not to use such phrases since the claim numbers are bound to change. The applicant should avoid using such matter. At page 6, lines 29, and 30 "inflow edge 31" is disclosed, however, no such numeral is shown in any figures. As described in the specification there is no explanation as to the term "C" described in

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the formulas. It merely states that C lies between certain values, however, it does not show what "C" is. Appropriate correction is required.

Claim Objections

5. Claims 1-23 are objected to because of the following informalities: The claims are poorly drafted. The applicant is advised of drafting the claims in proper translation in order to make the claims clear and simple and not in narrative form. Such objectable language is used in claim 1, lines 9-13. Claim 5, line 3, "the or each blade" is improper. Claims 14 and 22, "the boundaries" should be defined clearly. Claim 17, does not include the steps of manufacturing the device. The applicant is advised to change the preamble to read as "a method of using the device". Claim 20, at line 21 "the or each blade" is improper. Appropriate correction is required.

Allowable Subject Matter

6. The following is a statement of reasons for the indication of allowable subject matter: The prior arts made available do not teach or suggest, alone or in combination, an impeller of a flow sensor having at least a series of cross sections of the blade the blade angle substantially meets the formula: $[\text{tg}(H(r)) * C] / [r * D^2] = \text{Calrev}$.

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Conclusion

7. This application is in condition for allowance except for the following formal matters:

See paragraphs 2-**6** above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte*
Quayle, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS**
from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harshad Patel whose telephone number is (703) 305-4935. The examiner can normally be reached on Monday-Thursday from 7:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Richard Chilcot, can be reached on (703) 305-4716. The fax phone number for this Group is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4900.

HP
May 4, 1999


Harshad Patel
Patent Examiner
Group 2855